costs was rendered against the plaintiffs and an execution issued. He then began the present suit, in equity, to enjoin the levy. *Held,* that irrespective of the attorney's solvency, the judgment is vacated and the injunction granted. *Anderson* v. *Crawford* (Ga. 1917), 94 S. E. 574.

This effort to review judgment is under statutory authority, Ga. Code 1911, Sec. 5965, and so a direct attack. *Harman* v. *Moore,* 112 Ind. 221. On the effect of such an attack the courts are divided. The older English cases held that the presumption of retainer from the recorded fact of appearance, was conclusive of the court's jurisdiction, and so not subject to direct attack unless the attorney proved to be insolvent, *Latuch* v. *Pasherante,* 1 Salk. 86; *Anonymous,* 1 Salk. 88; *Dundas* v. *Dutens,* 1 Ves. Jr. 196. Some American authorities have chosen to follow this rule. *Denton* v. *Noyes,* 6 Johns (N. Y.) 296, being perhaps the most vigorous early adherent. See also *Carpentier* v. *City of Oakland,* 30 Cal. 439; *Williams* v. *Johnson,* 112 N. C. 424. Another line of authorities, of which the instant case is an exponent, decide that this unauthorized appearance may always be denied in direct attack on the judgment, by intrinsic or extrinsic evidence, *Great Western Mining Co.* v. *Woodmas,* 12 Col. 46; by motion or in equity, *Shelton* v. *Tiffin,* 6 How. (U. S.), 163; unless the party has ratified, *Robb* v. *Vos,* 155 U. S. 13; or has been guilty of undue delay in seeking relief, *Harshey* v. *Blackmarr,* 20 Iowa 161. This would seem to be the better, as well as the majority rule; in fact where the English rule is still adhered to, it is avowedly on the principle of *stare decisis, Vilas* v. *Plattsburgh & M. R. R. Co.,* 123 N. Y. 440, and the courts are astute to find exceptional circumstances to take the case out of the rule. Where the attack is collateral, all cases hold that there is a presumption of authority, *Corbitt* v. *Timmerman,* 95 Mich. 581; thereby presenting a striking analogy to the common law doctrine of the sheriff's return, *Heath* v. *Miller,* 117 Ga. 854. Whether said presumption is rebuttable is still a moot question, with perhaps a growing tendency to allow such rebuttal, FREEMAN ON JUDGMENTS, § 128. Where the judgment is foreign, decisions granting relief are practically unanimous on either direct or collateral attack. *Thompson* v. *Whitman,* 18 Wall. (U. S.), 457.

JURISDICTION—SERVICE OUT OF THE STATE.—In proceedings to adjudge a person insane and appoint a guardian for her person and property a motion to quash on the ground that the only service was made on the supposed insane person out of the state, was overruled. On appeal, *held,* such order was proper, the supposed insane person being a citizen of the state and owing allegiance to it, was bound by its laws as to the method of service, though such service would not be due process of law as to a non-resident. *In re Hendrickson* (S. D. 1918), 167 N. W. 172.

The court relied principally on *Mabee* v. *McDonald,* 107 Tex. 139, in which the same distinction was made between citizens of the state and citizens of the other states, but did not notice that that decision had been reversed by the Supreme Court of the United States (*Mabee* v. *McDonald,* 243 U. S. 90), reviewed in 16 MICH. L. REV. 493. See also 14 MICH. L. REV. 81-82.